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LAMBETH PALACE LIBRARY

THE CASE OF CREDITORS,

In Relation to the BILL for Diſcharging *Priſoners* for *Debt.*

IN this Bill there is a Clauſe, that the Oath to be taken by the Keeper of Priſons ſhall be Aboliſhed, and a New Oath Incerted, to this effect, *Viz. That he hath Examined, and that he hath reaſon to Believe, that* I. S. *was really a Priſoner on the* 28th. *of* November, 1690. *as by the Books belonging to the ſaid Priſon, it doth appear.*

If this ſhall paſs into an Act, then Debtors and Keepers may Combine together to Defraud the Creditors. For, if any Debtor, that would be diſcharged of his Debts, was entred a Priſoner, at any time whatſoever before the 28*th.* of *November*, 1690. and afterwards diſcharged of the Priſon, yet if ſuch diſcharge ſhall not be Entred in the Keepers or Goalers Books, ſuch Debtor may be diſcharged by this Act, of all the Debts he hath Contracted, if he can agree with ſuch Keeper, though the Debtor was never in the Cuſtody of ſuch Keeper, nor in actual Cuſtody the 28*th.* of *November*, 1690. nor for many Years before, and, perhaps never in Cuſtody, but entred a Priſoner at ſome Perſons Suit of ſuch Debtors nameing, and not for a real Debt.

There may be ſeveral Perſons of the ſame Name in the Keepers Books, and (as his Oath is Penn'd) the Keeper may Swear for one that is no Priſoner, and not be liable to be Indicted for a falſe Oath, becauſe he referrs to his Books only.

The Creditors do therefore Humbly Hope, that the Honourable Houſe of Commons *will not permit the Oath in the former Act to be Abolisht, nor this new Oath to be Incerted; but, if any alteration of the Oath, that it may be ſtricter, if poſſible, for the benifit of the Creditors.*